

121703

16138 U.S. PTO

PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="padding: 2px;">Attorney Docket No.</td><td style="padding: 2px;">CFC-124-A</td></tr><tr><td style="padding: 2px;">First Inventor</td><td style="padding: 2px;">Steven E. Lenda</td></tr><tr><td style="padding: 2px;">Title</td><td style="padding: 2px;">AIR PERMEABLE, WATER REPE</td></tr><tr><td style="padding: 2px;">Express Mail Label No.</td><td style="padding: 2px; text-align: center; font-size: 1.2em;">EV303948769US</td></tr></table>	Attorney Docket No.	CFC-124-A	First Inventor	Steven E. Lenda	Title	AIR PERMEABLE, WATER REPE	Express Mail Label No.	EV303948769US								
Attorney Docket No.	CFC-124-A																	
First Inventor	Steven E. Lenda																	
Title	AIR PERMEABLE, WATER REPE																	
Express Mail Label No.	EV303948769US																	
APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small>		ADDRESS TO: Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450																
<div style="display: flex; flex-wrap: wrap;"><div style="width: 50%; padding-right: 10px;"><p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original and a duplicate for fee processing)</small></p><p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p><p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>12</u>] <small>(preferred arrangement set forth below)</small><ul style="list-style-type: none">- Descriptive title of the invention- Cross Reference to Related Applications- Statement Regarding Fed sponsored R & D- Reference to sequence listing, a table, or a computer program listing appendix- Background of the Invention- Brief Summary of the Invention- Brief Description of the Drawings (if filed)- Detailed Description- Claim(s)- Abstract of the Disclosure</p><p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>2</u>]</p><p>5. Oath or Declaration [Total Sheets <u>2</u>] a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p><p style="margin-left: 20px;">b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small></p><p style="margin-left: 20px;">i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small></p><p>6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p></div><div style="width: 50%; padding-left: 10px;"><p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p><p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF)</p><p style="margin-left: 20px;">b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper</p><p style="margin-left: 20px;">c. <input type="checkbox"/> Statements verifying identity of above copies</p></div></div>		<div style="display: flex; flex-direction: column; align-items: center;"><div style="writing-mode: vertical-rl; transform: rotate(180deg); text-align: center;">22581 U.S. PTO 10/738930</div><div style="border: 1px solid black; padding: 5px; text-align: center;">ACCOMPANYING APPLICATION PARTS</div><div style="display: flex; flex-direction: column; align-items: flex-start; width: 100%;"><p>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))</p><p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small></p><p>11. <input type="checkbox"/> English Translation Document (if applicable)</p><p>12. <input checked="" type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Citations Statement (IDS)/PTO-1449</p><p>13. <input type="checkbox"/> Preliminary Amendment</p><p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small></p><p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small></p><p>16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 <small>(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</small></p><p>17. <input checked="" type="checkbox"/> Other: Petition to Make Special.....</p></div></div>																
<p>18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"><div style="display: flex; gap: 10px;"><input type="checkbox"/> Continuation</div><div style="display: flex; gap: 10px;"><input type="checkbox"/> Divisional</div><div style="display: flex; gap: 10px;"><input type="checkbox"/> Continuation-in-part (CIP)</div><div style="text-align: right;">of prior application No.:</div></div> <p><small>Prior application information: Examiner _____ Art Unit: _____</small></p> <p>For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p>																		
19. CORRESPONDENCE ADDRESS																		
<div style="display: flex; align-items: center;"><input checked="" type="checkbox"/> Customer Number: 22825OR<input type="checkbox"/> Correspondence address below</div>																		
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 20%;">Name</td><td colspan="3"></td></tr><tr><td>Address</td><td colspan="3"></td></tr><tr><td>City</td><td style="width: 20%;">State</td><td style="width: 20%;">Zip Code</td><td></td></tr><tr><td>Country</td><td>Telephone</td><td>Fax</td><td></td></tr></table>			Name				Address				City	State	Zip Code		Country	Telephone	Fax	
Name																		
Address																		
City	State	Zip Code																
Country	Telephone	Fax																
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 40%;">Name (Print/Type)</td><td style="width: 30%;">Registration No. (Attorney/Agent)</td><td style="width: 30%;">28422</td></tr><tr><td>Signature</td><td></td><td>Date 12-17-02</td></tr></table>			Name (Print/Type)	Registration No. (Attorney/Agent)	28422	Signature		Date 12-17-02										
Name (Print/Type)	Registration No. (Attorney/Agent)	28422																
Signature		Date 12-17-02																

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

121703

16138 U.S. PTO

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 976.00)

Complete if Known

Application Number

Filing Date

First Named Inventor

Steven E. Lenda

Examiner Name

Art Unit

Attorney Docket No.

CFC-124-A

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

25-0115

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims	22	-20** =	2	18	36
Independent Claims	3	-3** =	0		
Multiple Dependent					

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 36)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 170)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

William M. Hanlon, Jr.

Registration No.
(Attorney/Agent)

28422

Telephone 248-649-3333

Signature



Date

12/17/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Steven E. Lenda
	Title	Air Permeable, Water Repellent, Acoustic Door Watershield
	Atty Docket Number	CFC-124-A

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 17, 2003

Date



Signature

248-649-3333

Telephone number

William M. Hanlon, Jr.

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the chief information Officer, U.S. Patent and Trademark Office, U.S. Department of commerce, PO Box 1450, Alexandria, VA 22313-1450. DO NOT SEND COMPLETED FORMS OR FEES TO THIS ADDRESS. Send to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9a99(1-800-786-9199) and select option 2.

Our Reference: CFC-124-A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Steven E. Lenda and Donald P. Marriott
Serial Number:	Unknown
Filing Date:	Concurrent
Examiner/Art Group Unit:	Unknown/Unknown
Title:	AIR PERMEABLE, WATER REPELLENT, ACOUSTIC DOOR SHIELD

DETAILED DISCUSSION OF REFERENCES

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The following is a detailed discussion of the references cited in an Information Disclosure Statement filed concurrently with this description and the above-identified application in support of a Petition to Make Special, also filed concurrently herewith.

US Patent No. 6,102,465 shows a multi-layer door panel for a vehicle which has acoustic properties. The noise insulating structure includes three sound absorbing material layers which are mounted in a vehicle headlining, dashboard or floor carpet. Each sound absorbing material or layer is capable of absorbing sound within a frequency range which overlaps on one end with the frequency range of the other material layers. Each sound absorbing material is formed of an unshaped polyester fiber mixture and binder fibers.

However, this reference fails to disclose the use of an outer scrim formed of a water repellent, air permeable material as well as any concept of tuning the air permeability of the outer layer with the sound absorption or attenuation features of a non-woven second layer to provide the desired sound attenuation as set forth by the Applicants in the above-identified application.

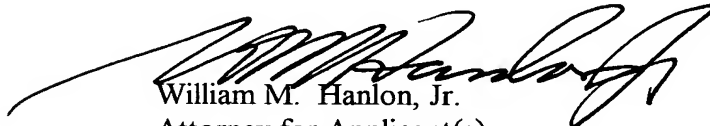
All of the remaining patents in the Information Disclosure Statement teach air permeable, water repellent scrims or layers for use in a variety of garments, personal care products, medical products, protective covers and outdoor fabrics.

For the reasons set forth above, it is respectfully submitted that Applicants' invention as set forth in the claims of the above-identified application

include features which are not anticipated or rendered obvious by the cited references, taken singly or in any permissible combination.

Respectfully submitted,

YOUNG, BASILE, HANLON, MacFARLANE, WOOD
& HELMHOLDT, P.C.

A handwritten signature in black ink, appearing to read 'William M. Hanlon, Jr.', is written over the typed name.

William M. Hanlon, Jr.
Attorney for Applicant(s)
Registration No. 28422
(248) 649-3333

3001 West Big Beaver Rd., Suite 624
Troy, Michigan 48084-3107

Dated: December 17, 2003
WMH/jao